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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Joydip Kundu, Richard L. Frank, Michael J. Cusson and
Daniel E. O'Shaughnessy

Application No.: 09/322,472 Group: 2143

Filed: May 28, 1999 Examiner: William C. Vaughn, Jr.

Confirmation No.: 8046

For: USING A CLUSTER-WIDE SHARED REPOSITORY TO
PROVIDE THE LATEST CONSISTENT DEFINITION OF THE
CLUSTER (AVOIDING THE PARTITION-IN-TIME PROBLEM)

| | |
|---|-----------------|
| CERTIFICATE OF MAILING OR TRANSMISSION | |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on: | |
| 7/28/05 | Wendy Morrissey |
| Date | Signature |
| Wendy Morrissey | |
| Typed or printed name of person signing certificate | |

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment for filing in the above-identified application.

- [] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.
- [] A Small Entity Statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.

The claims fee has been calculated as shown below:

| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA |
|--|---|----------|---------------------------------------|------------------|
| TOTAL | 67 | MINUS * | 67 | 0 |
| INDEP | 14 | MINUS ** | 14 | 0 |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM | | | | |

* not fewer than 20

** not fewer than 3

SMALL ENTITY

| | RATE | ADDIT. FEE |
|---|--------|---------------|
| X | \$ 25 | \$ |
| X | \$ 100 | \$ |
| + | \$ 180 | \$ |

TOTAL= \$ 0OTHER THAN
SMALL ENTITY

| | RATE | ADDIT. FEE |
|---|--------|---------------|
| X | \$ 50 | \$ 0 |
| X | \$ 200 | \$ 0 |
| + | \$ 360 | \$ 0 |

TOTAL= \$ 0**The Application Size Fee has been calculated as shown below:***(Effective for cases filed on or after December 8, 2004)*

| Actual Sheets (Including current amendment) | Highest No. of Sheets Paid For (At least 100) | No. of Additional Units Required (Increments of 50 sheets) |
|--|--|--|
| | | |

SMALL ENTITY

| Rate | Total Amount Owed |
|---------|-------------------------|
| X \$125 | \$[] |

OTHER THAN
SMALL ENTITY

| Rate | Total Amount Owed |
|---------|-------------------------|
| X \$250 | \$[] |

Payment
Sufficient for
up to

[] Sheets

Petition for Extension of Time

[] Applicant hereby petitions to extend the time to respond to the [] dated [] for [] month(s) from [] to []. The appropriate fee is set forth below.

Please charge Deposit Account No. 08-0380 for the following fees:

| | | |
|--------------------------|---|-------------|
| <input type="checkbox"/> | Petition for [] month Extension of Time | \$ _____ |
| <input type="checkbox"/> | Claims Fee | \$ _____ |
| <input type="checkbox"/> | Application Size Fee | \$ _____ |
| <input type="checkbox"/> | Other Fees: | _____ |
| | _____ | \$ _____ |
| | _____ | \$ _____ |
| | TOTAL: | \$ <u>0</u> |

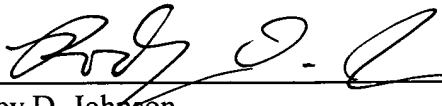
A check is enclosed in payment of the following fees:

| | | |
|--------------------------|---|-------------|
| <input type="checkbox"/> | Petition for [] month Extension of Time | \$ _____ |
| <input type="checkbox"/> | Claims Fee | \$ _____ |
| <input type="checkbox"/> | Application Size Fee | \$ _____ |
| <input type="checkbox"/> | Other Fees: | _____ |
| | _____ | \$ _____ |
| | _____ | \$ _____ |
| | TOTAL: | \$ <u>0</u> |

☒ Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 
Rodney D. Johnson
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Dated: July 28, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Joydip Kundu, Richard L. Frank, Michael J. Cusson
and Daniel E. O'Shaughnessy

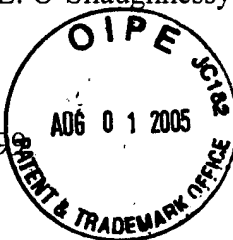
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Examiner: William C. Vaughn, Jr.

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| <u>7/28/05</u> Date | <u>Wendy Morrissey</u> Signature |
| <u>Wendy Morrissey</u> Typed or printed name of person signing certificate | |

AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Amendment is being filed in response to the Office Action mailed from the U.S. Patent and Trademark Office on April 28, 2005. Reconsideration and further examination are requested.

Please amend the application as follows: